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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,

10 Respondent,

No. 2:97-cr-0591 JAM GGH P

11 vs.

12 LUCIANO RAMIREZ-SALAZAR,

13 Movant.

ORDER

14 _____/
15 Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set
16 aside, or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United
17 States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

18 On June 6, 2012, the magistrate judge filed findings and recommendations herein
19 which were served on all parties and which contained notice to all parties that any objections to
20 the findings and recommendations were to be filed within fourteen days. Movant has filed
21 objections to the findings and recommendations.

22 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule
23 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire
24 file, the court finds the findings and recommendations to be supported by the record and by
25 proper analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed June 6, 2012, are adopted in full;

3 2. Respondent's February 27, 2012 motion to dismiss (Docket # 166) is granted
4 on the ground that the § 2255 motion is an unauthorized second or successive § 2255 motion;

5 3. A certificate of appealability is denied in this action; and

6 4. The Clerk of the Court is directed to close the companion civil case,
7 No. 2:11-cv-3206 JAM GGH P.

8 DATED: July 31, 2012

9 /s/ John A. Mendez
10 UNITED STATES DISTRICT COURT JUDGE